



LORANG BROTHERS CONSTRUCTION INC.

1175 South Auburn Street Colfax, CA 95713

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September 30, 2010

OFFICE ENGINEER
CONTRACT AWARDS AND SERVICES
1727 30th Street, MS43
Sacramento, CA 95816

Attn: Mr. Kris Kuhl
RE: 03-3C7604 – Bid Protest
Caltrans Bidder – UDBE Commitment Submittal and “Good Faith Effort
Documentation”

Dear Mr. Kuhl,

Lorang Brothers Construction, Inc. respectfully wishes to protest the award of the above contract to Robert J. Frank Construction, Inc., the apparent low bidder. It is our position that the contractor has failed to comply with Section 2-1.03 DISADVANTAGED BUSINESS ENTERPRISES of the SPECIAL PROVISIONS for this contract.

Upon review of their UDBE – Commitment, we believe the contractor has failed to meet the UDBE goal of 7%, for this contract. He has named Sam's Equipment and Supplies of Fresno, CA as their UDBE materials supplier. He appears to have taken 100% credit for the dollar amount of the quote. It is our understanding that he is allowed only 60% of the credit for the dollar amount, which would reduce his Total Claimed Participation to 4.9%; furthermore, it appears that there was no “Good Faith Effort” documentation, which could render his bid non-responsive.

Lorang Brothers Construction, Inc. has a higher Total Claimed Participation and has provided a complete “Good Faith Effort” documentation package.

We appreciate your attention in this matter and await your determination.

Very truly yours,

LORANG BROTHERS CONSTRUCTION, INC.


Michael Lorang
President